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Attorneys for the United States.

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

**Herlen Delgado Solis,** )  
 )  
**Plaintiffs,** )  
**vs.** )  
 )  
**Eric Holder. U.S. Attorney General,** )  
**Alejandro Mayorkas, Director, U.S.** )  
**Citizenship and Immigration Services,** )  
**Janet Napolitano, Secretary of the** )  
**Department of Homeland Security,** )  
**Daniel M. Renaud, Director, USCIS** )  
**Vermont Service Center, Robert Cowan,** )  
**Director, USCIS National Benefits** )  
**Center,** )  
**Defendants.** )

**Case No: 2:10-cv-01742-RLH-LRL**

**MOTION FOR EXTENSION OF  
 TIME TO RESPOND TO  
 PLAINTIFF'S COMPLAINT  
 (First Request)**

Comes now federal defendants by and through Daniel G. Bogden, United States Attorney and Carlos A. Gonzalez, Assistant United States Attorney and respectfully request a forty four (44) day extension of time, up to and including January 31, 2011, to file a response to Plaintiff's petition. In support of this request for an extension of time, Defendants rely upon the Memorandum of Points and Authorities set forth below.

**MEMORANDUM OF POINTS AND AUTHORITIES**

Plaintiffs filed their complaint on October 18, 2010. An answer to the complaint would be due on December 17, 2010. Defendants request that this honorable Court grant a forty-four (44) day extension of time, up to and including, January 31, 2011.

The Office of Immigration Litigation (OIL) of the Civil Division of the Department of Justice in Washington D.C., the Department of Homeland Security in Phoenix, Arizona and the United States Attorney's Office in Las Vegas, Nevada have assigned counsel to undertake the governments defense in the instant civil action.

The expertise of these offices in different aspects of the litigation need to be coordinated to properly analyze the factual and legal issues presented to properly draft and file the most appropriate pleading to plaintiffs complaint.

This necessary coordination between offices and end of year employment requirements and matters for government employees have made impossible the filing of the complaint by the due date.

Compounding the problem, undersigned counsel has been outside of the District on business and personal reasons. Counsel for OIL is presently on medical leave for the remainder of the year.

This request is made prior to the expiration of the time permitted to respond to the Petition and will not prejudice Plaintiffs.

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...

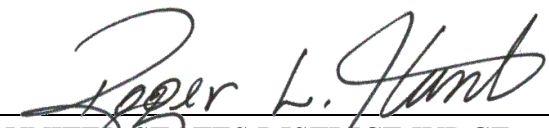
1 It is therefore respectfully requested that the court grant defendants an extension of forty  
2 four (44) days to and including January 31, 2011, in which to file an answer or appropriate  
3 pleading to Plaintiffs' Complaint.  
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5  
6 DATED: 17<sup>TH</sup> day of December 2010.

7 DANIEL G. BOGDEN  
8 United States Attorney

9 /s/ Carlos A. Gonzalez  
10 Carlos A. Gonzalez  
11 Assistant United States Attorney  
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13

14 IT IS SO ORDERED:

15  
16   
17 UNITED STATES DISTRICT JUDGE  
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19 DATED: December 21, 2010  
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**PROOF OF SERVICE**

I, Carlos A. Gonzalez, certify that the following individual was served the **MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT (First Request)** on this date by the below identified method of service:

**CM/ECF Notification**

**Seth L. Reszko**  
Reza Athari & Associates. PLLC  
6235 S. Pecos Road, Suite 109  
Las Vegas, NV 89120  
Email: atharilaw@earthlink.net

DATED: December 17, 2010

/s/ Carlos A. Gonzalez  
Carlos A. Gonzalez  
Assistant United States Attorney